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Report of the International Court of Justice

Secretary-General's Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to paragraph 16 of the revised Terms of Reference, Guidelines and Rules of the Secretary-General's Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice (A/59/372, annex) and is subsequent to the report submitted to the General Assembly at its seventieth session (A/70/327).

II. Mandate

2. The Trust Fund was established in 1989 under the Financial Regulations and Rules of the United Nations, following consultations with the President of the International Court of Justice. In accordance with the revised Terms of Reference, financial assistance is to be provided to States for expenses incurred in connection with: (a) a dispute submitted to the Court by way of a special agreement, on the basis of Article 36, paragraph 1, of its Statute; (b) a dispute submitted to the Court by way of an application on the basis of Article 36, paragraphs 1 and 2, of its Statute, provided certain conditions are fulfilled (see A/59/372, annex, para. 6 (ii)); or (c) the execution of a judgment of the Court.

III. Beneficiaries

3. Subject to the requirements of paragraph 6 of the revised Terms of Reference, an application for financial assistance from the Trust Fund may be submitted by any

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State Member of the United Nations, any other State party to the Statute of the International Court of Justice or any State not party to the Statute of the Court having complied with Article 35, paragraph 2, of the Statute.

4. During the period under review (1 July 2015 to 30 June 2016), the Trust Fund did not receive any new applications. It continued to be seized of applications from Burkina Faso and the Niger relating to a dispute between the two States concerning a section of their common boundary. The Panel Of Experts established in accordance with paragraph 9 of the revised Terms of Reference completed its examination of the applications of the two requesting States and provided the Secretary-General with its evaluation and recommendations on the parameters of the financial assistance. On the basis of those conclusions and bearing in mind the limited resources of the Trust Fund and the necessity to accommodate any potential future applications, the Secretary-General made the final determination to provide financial assistance in the amount of $125,000 to Burkina Faso and $125,000 to the Niger to defray the costs of the execution of the Judgment of the International Court of Justice of 16 April 2013 in the case concerning *Frontier Dispute (Burkina Faso/Niger)*, in line with paragraph 6 (b) of the revised Terms of Reference. In accordance with paragraph 13 of the revised Terms of Reference, 50 per cent of the award is to be paid in the form of an advance. Arrangements for the payments will be made upon provision of the required documentation.

IV. Contributions

5. Voluntary contributions to the Trust Fund may be made by States, intergovernmental organizations, national institutions and non-governmental organizations, and by natural and juridical persons.

6. During the period under review, Finland and Switzerland made the following voluntary contributions to the Trust Fund:

State	*Amount (United States dollars)*	*Financial year*
Finland	10 933	2016
Switzerland	15 000	2016
Total	**25 933**	

7. As at 30 June 2016, the total balance of the Trust Fund was $3,237,790.

V. Needs assessment

8. The Charter of the United Nations, in Article 1, paragraph 1, recognizes the settlement of international disputes by peaceful means, and in conformity with the principles of justice and international law as one of the basic purposes of the United Nations and as an essential tool for the maintenance of international peace and security. The Court is the principal judicial organ of the Organization. As noted above, the Trust Fund was created with a view to facilitating a decision by parties to a dispute to seek judicial settlement of their dispute through the Court. While the

Secretary-General is grateful to the Member States that have contributed to the Trust Fund in the past and during the period under review, he also notes that the number of contributions remains very low and therefore strongly urges all States and other relevant entities to give serious consideration to making contributions to the Trust Fund, substantially and on a regular basis.

VI. How to contribute

9. Voluntary contributions to the Trust Fund can be made by bank transfer or by cheque. Cheques should be to the order of the United Nations General Trust Fund, indicating "ICJ Trust Fund (TJA)" in the reference field, and sent to:

United Nations Headquarters
United Nations Treasury
New York, N.Y. 10017
United States of America

Attention: Room No. S-2011

For bank transfer details, please contact the United Nations Treasury (unhq-cashier-office@un.org).

10. For any additional information, please contact the Office of the Legal Counsel, Office of Legal Affairs (tel: 1 212 963 3999; fax: 1 212 963 6430).